

Wetlands Bureau Decision Report

Decisions Taken
01/02/2006 to 01/08/2006

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2005-01505 NEW ENGLAND POWER COMPANY, JOHN REED PLAINFIELD Unnamed Wetland

Requested Action:

Temporary impact of approximately 194,020 square feet of palustrine scrub-shrub and emergent wetlands in a utility right-of-way easement for the replacement of wood-pole structures and shieldwire and the use of swamp mats for associated access along an existing 41-mile electric aerial power line. Of the 494 structures located along the transmission line, sixty-three (63) wetlands crossings are required to access structures, forty (40) structures require wood pole replacement and/or crossarm replacement, and five (5) structures require additional guy anchors installed in wetlands.

Conservation Commission/Staff Comments:

The Lebanon Conservation Commission recommended approval of the wetlands permit application and requested that they be contacted prior to the start of work in Lebanon. No comments were received from Plainfield, Cornish, Claremont, Charlestown, or Walpole.

APPROVE PERMIT:

Temporary impact of approximately 194,020 square feet of palustrine scrub-shrub and emergent wetlands in a utility right-of-way easement for the replacement of wood-pole structures and shieldwire and the use of swamp mats for associated access along an existing 41-mile electric aerial power line. Of the 494 structures located along the transmission line, sixty-three (63) wetlands crossings are required to access structures, forty (40) structures require wood pole replacement and/or crossarm replacement, and five (5) structures require additional guy anchors installed in wetlands.

With Conditions:

1. All work shall be in accordance with plans by New England Power Construction Company (New England Power Service Company) dated October 8, 1947 and revised October 2004, as received by the DES Wetlands Bureau on December 20, 2005.
2. The permittee shall coordinate with the NH Division of Historical Resources to assess and mitigate the project's effect on historical resources.
3. Any future work in the utility right-of-way that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. Maintenance work shall maintain existing size, location and configuration.
5. All work shall be conducted under low flow or low groundwater conditions or during frozen ground conditions.
6. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils. Swamp mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.
7. Upon removal, the old wood-pole structures and appurtenances shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. The contractor shall remove the stumps of the old wood-pole structures in wetlands. If removal of the stump(s) will result in increased wetlands impacts, due to increased soil disturbance, the pole(s) shall be cut off at ground level.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
12. Silt fence(s) must be removed once the area is stabilized.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

14. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
15. All temporary impacts to wetlands shall be restored to natural grade, stabilized, and replanted with native vegetation where necessary.
16. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
17. Wetland topsoil shall be stripped and segregated from subsoil and stockpiled separately from subsoil during construction. Soils shall be properly backfilled and restored to pre-existing grades.
18. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following project completion. The report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.
19. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following project completion. The applicant shall work with the DES Wetlands Bureau to attempt to eradicate nuisance species newly found along the right-of-way during this same period.
20. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
22. Faulty equipment shall be repaired prior to entering jurisdictional areas.
23. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
24. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(c), Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant's routine inspection of the structures located along the length of the transmission line has revealed the need to replace existing infrastructure in order to continue to provide reliable electric service.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The applicant has minimized wetlands impacts to the greatest extent practicable by proposing to access the structures via available right-of-way access points and roads to minimize wetlands crossings.
4. The project was designed using environmental procedures and practices applicable to the proposed right-of-way work from the "National Grid USA Environmental Procedure #19, Substation and ROW Access, Maintenance, and Construction BMP" to minimize wetlands impacts.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. Per Wt 501.01, notification of abutters is not required for projects in utility rights-of-way.
7. Per Wt 302.03(d), mitigation shall not be required for impacts that are not intended to remain after the project is completed, provided the areas are restored in accordance with provisions shown in the approved project plans.
8. Of the 494 structures located along the transmission line, sixty-three (63) wetlands crossings are required to access structures in the right-of-way, forty (40) structures located in or proximate to wetlands require wood pole replacement and/or crossarm replacement, and five (5) structures in or proximate to wetlands require additional guy anchors installed in wetlands to bring those structures into current electrical engineering code status.
9. Wood poles are replaced by excavating a narrow hole 8 to 11 feet deep directly adjacent to the existing wood pole. These excavations temporarily affect approximately 100 square feet of area, approximately 50 square feet for the actual excavation and 50 square feet for the incidental workspace and temporary stockpiling of excavated material. The new wood-pole structure is backfilled and the old poles are removed to an upland stockpile area pending permanent disposal.
10. Guy anchors are installed by excavating a narrow hole approximately 6 to 8 feet deep to install a two or three foot diameter

plank and anchor assembly.

11. For all excavations, wetland topsoil will be stripped and segregated from subsoil and stockpiled separately from subsoil. Upon completion, the soil is backfilled and the wetland topsoil is placed back on top to the pre-existing grade.

12. Swamp mats will be deployed to facilitate access and construction and will not be deployed simultaneously along the entire length of the transmission line. Swamp mats will be removed after work at each location is completed.

13. The use of swamp mats will minimize the potential adverse effects during construction, such as soil rutting and compaction, and vegetation root disturbance. Although the mats will temporarily "bend over" or "mat down" the existing vegetation, soil compaction and the effect on existing vegetation will be minimal since the mats will protect the root and seed stock, thereby allowing the wetlands to naturally revegetate during the following growing season.

14. Following work completion and mat removal, the temporarily disturbed areas will be mulched and the applicant will inspect the right-of-way to ensure that appropriate conditions exist for wetland vegetation to re-establish. If deemed necessary, a wetland seed mix (containing seeds of native wetland species) will be applied to the disturbed areas to facilitate revegetation.

15. The right-of-way shall be monitored and a written report documenting its condition shall be submitted to the DES Wetlands Bureau by July 15 of the year following project completion. The report shall include photographic documentation. The DES Wetlands Bureau shall require subsequent monitoring and may require corrective measures if the right-of-way is not adequately stabilized and restored.

16. The transmission line traverses several buffer areas of known occurrences of endangered or threatened plant species recorded with the NH Natural Heritage Bureau. The NH Natural Heritage Bureau's comments suggest that the proposed project will have no direct impacts on the documented occurrences of protected plant communities. Secondary impacts could result if proper measures to prevent water quality degradation are not employed.

17. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department did not have record of any rare or endangered species near the project area.

2005-01930 SKIFFINGTON HOMES
GILFORD Lake Winnepesaukee

Requested Action:

Fill 1170 sq ft to construct 51 linear ft of breakwater in a dog-leg configuration with a 6 ft gap at the shoreline and a 4 ft x 27.1 ft cantilevered pier, a 4 ft x 30 ft piling pier, and a 2 ft x 30 ft finger pier connected by a 6 ft x 30.8 ft cantilevered walkway and a 4 ft x 11.3 ft walkway in a "W" configuration, repair 61 linear ft total of retaining wall and construct a 21 ft x 30 ft perched beach with 6 ft wide lake access steps on an average of 151 ft of frontage in Gilford on Lake Winnepesaukee.

Inspection Date: 10/24/2005 by Chris T Brison

APPROVE PERMIT:

Fill 1170 sq ft to construct 51 linear ft of breakwater in a dog-leg configuration with a 6 ft gap at the shoreline and a 4 ft x 27.1 ft cantilevered pier, a 4 ft x 30 ft piling pier, and a 2 ft x 30 ft finger pier connected by a 6 ft x 30.8 ft cantilevered walkway and a 4 ft x 11.3 ft walkway in a "W" configuration, repair 61 linear ft total of retaining wall and construct a 21 ft x 30 ft perched beach with 6 ft wide lake access steps on an average of 151 ft of frontage in Gilford on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by David Dolan revised December 7, 2005, and received by the Department on December 9, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. The breakwater shall have an irregular face to dissipate wave energy.
5. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
6. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
7. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.

8. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
9. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
10. Retaining wall repair shall maintain existing size, location and configuration.
11. Existing retaining wall rocks which have fallen shall be used for repair. No Additional rocks.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
13. These shall be the only structures on this water frontage and all portions of the dock and breakwater shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
14. Work shall be done during drawdown.
15. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
16. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(j), construction of a breakwater in public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.
7. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.06, Breakwaters.
8. The applicant has an average of 151 feet of shoreline frontage along Lake Winnepesaukee.
9. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.12 Frontage Over 75'.
10. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2 Boat slip, and therefore meets Rule Wt 402.12.
11. Public hearing is waived based on field inspection, by NH DES staff, on October 24, 2005, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
12. Field inspection on October 24, 2005 found no obvious evidence of sand migration along this shoreline.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2001-01295

APPLETON HAMPTON LLC

HAMPTON Tributary To Drakes River

Requested Action:

Amend permit to read: fill a total of 6,782 sq. ft. of palustrine forested wetland at four locations for the construction of an access roadway and the construction of an elderly housing development. Approve as mitigation, the creation of a 16,496 sq. ft. wetland detention area, creation of a 4,353 sq. ft. scrub-shrub wetland area, restoration/creation of 3,876 sq. ft. of wetland, planted upland buffer of 3,700 sq. ft., and a conservation easement to preserve 10.69 acres of undisturbed forest consisting of 5.27 acres wetland and 5.42 acres upland, with revised permit conditions.

Conservation Commission/Staff Comments:

Con. Com. does not object to application.

Inspection Date: 10/17/2001 by David A Price

APPROVE AMENDMENT:

Amend permit to read: fill a total of 6,782 sq. ft. of palustrine forested wetland at four locations for the construction of an access roadway and the construction of an elderly housing development. Approve as mitigation, the creation of a 16,496 sq. ft. wetland detention area, creation of a 4,353 sq. ft. scrub-shrub wetland area, restoration/creation of 3,876 sq. ft. of wetland, planted upland buffer of 3,700 sq. ft., and a conservation easement to preserve 10.69 acres of undisturbed forest consisting of 5.27 acres wetland and 5.42 acres upland, with revised permit conditions.

With Conditions:

1. REVISED CONDITION: All work shall be in accordance with plans by Millette, Sprague & Colwell, Inc. dated April 23, 2001 with revisions dated February 26, 2003 with supplemental information and plans identified as Map #1, Map #2, and Map #3 prepared by West Environmental, Inc., as received by the Department on December 2, 2005.
2. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
3. Any further alteration of wetlands on this property will require a new application and further permitting by Department of Environmental Services ("DES") Wetlands Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Wetland boundaries at or near the impact areas are to be clearly marked prior to the start of clearing or construction.
7. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES wetlands Bureau concurrent with the commencement of the project.
8. The permittee shall designate a qualified professional who will have the responsibility of pre- and post-development environmental monitoring to inspect all construction, installation and maintenance of all erosion and sedimentation control devices. Construction monitoring reports shall be submitted weekly to the DES Wetlands Bureau Pease Field Office. Photocopy of site superintendent's job activities log shall be adequate.
9. Temporary work areas shall be regraded to original contours and planted with a wetland seed mix following completion of work.

Wetland Creation and Restoration

10. REVISED CONDITION: This permit is contingent upon the creation of a 16,496 sq. ft. wetland detention area, the creation of a 4,353 sq. ft. scrub-shrub wetland area, restoration/creation of 3,876 sq. ft. of wetland, planted upland buffer of 3,700 sq. ft and the creation of a 3,747 sq. ft. scrub-shrub wetland area.
11. The schedule for construction of the mitigation areas shall coincide with the site development unless otherwise considered and authorized by the Wetlands Bureau to occur subsequent to site construction.
12. The restoration and mitigation areas shall be properly constructed, monitored, managed in accordance with approved final mitigation plans, and the entire mitigation areas shall be preserved from future development.
13. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation sites. In other areas the permittee considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.
14. Wetland creation and restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
15. Wetland restoration and creation areas shall be properly restored, constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
16. The permittee shall designate a qualified professional who will have the responsibility to assure that the mitigation areas are constructed in accordance with the mitigation plan, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary. The Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a change of status during the project.

17. The permittee shall monitor the initial construction of the mitigation and restoration areas to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation is present upon completion of work. Site monitoring shall include a plan for removing invasive species and shall be reviewed by the Wetlands Bureau prior to implementation.
18. Monitoring reports describing and evaluating mitigation and restoration progress shall be submitted to DES Wetlands Bureau to the following schedule:
 - a) upon completion of construction;
 - b) at the end of first growing season;
 - c) at the beginning, middle, and end of subsequent growing seasons until final delineation occurs at five years post-construction.
19. The permittee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation and restoration areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of each mitigation sites.
20. After at least five full growing seasons, the permittee shall submit to DES Wetlands Bureau delineation of the wetlands within the mitigation sites and document the delineation with data forms and depict the delineation as an overlay of the final as-built plans, and submit a narrative functional assessment of the newly created wetland.
21. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

Wetland Preservation

22. This permit is contingent upon the execution of a conservation easement on 10.69 acres as depicted on plans by Millette, Sprague & Colwell, Inc. dated April 23, 2002 with revisions dated November 30, 2001, as received by the Department on December 7, 2001.
23. The conservation easements that may be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
24. Permit is contingent on submission and approval by DES of the final conservation easement language, legal description/survey of easement area, and final plans with boundaries of easement.
25. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for the appropriate lot and a copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to construction.
26. The conservation easement area shall be marked by stakes and signs indicating the location and restrictions of the area prior to construction.
27. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
28. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. REVISED FINDING: Impacting a total of 6,782 sq. ft. of wetland is classified as a minor impact project per Wt 303.03(h).
2. NEW FINDING: Additional groundwater was encountered during construction which resulted in raising the elevation of two buildings and additional unavoidable wetland impacts at the site.
3. NEW FINDING: The owner has provided additional mitigation to offset the increase in wetland impacts by increasing the amount of wetland creation and restoration by 890 sq. ft. and providing a total of 3,700 sq. ft. of upland buffer to wetland creation and restoration areas. The inclusion of the upland buffer is a critical component and increases the overall function and value of the wetlands and minimizes the encroachment into the newly created and restored wetlands.
4. The proposed conservation easement of 10.69 acres could be developed if not preserved from future development.
5. The wetland impacts were concentrated in the lower functioning/value wetlands and the higher functioning/value wetlands have been preserved from future development.
6. The proposed 16,496 sq. ft. wetland detention area will have a swallow marsh community to provide water quality protection from site runoff.
7. REVISED FINDING: The proposed 4,353 sq. ft. scrub-shrub wetland area to be constructed at the end of a treatment swale will provide additional water quality protection from site runoff.

2004-02846 RIVER VALLEY REALTY TRUST
CONWAY Unnamed Wetland

Requested Action:

Amend permit to reflect the revised plan that modifies the original 9'2" x 3'3" (40' long) box culvert with 2 - 64" x 43" (50' long) steel pipe arch culverts. In addition, the amendment requests rewording several permit conditions to reflect plan revisions and potential future access.

APPROVE AMENDMENT:

Amend permit to read: Impact 3,795 square feet of palustrine forested wetland to remove an existing 24" culvert and install 2 - 64" x 43" steel pipe arch culverts (50' long) for constructing a road that will serve a 26-lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering, PLLC dated November 2005, as received by the Department on December 6, 2005.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback; except for lots 26 & 27 where future access will require a new application and further permitting by the Bureau.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision, with the exception of lots 26 & 27, shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Within seven days of culvert installation, beveled end sections shall be installed and side slopes properly stabilized.
10. Culvert outlets shall be properly rip rapped.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a Minor Project per NH Administrative Rule Wt 303.03 (h), as impacts are less than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The amendment consists of a revised plan that modifies the original 9'2" x 3'3" (40' long) box culvert with 2 - 64" x 43" (50' long) steel pipe arch culverts. In addition, the amendment requests rewording several permit conditions to reflect plan revisions and potential future access.

2005-02507 WENTWORTH COVE REALTY LLC
ALTON Unnamed Wetland

Requested Action:

Dredge and fill 14,550 square feet of palustrine forested wetland and wet meadow for access in a proposed 19-lot residential subdivision.

DENY PERMIT:

Dredge and fill 14,550 square feet of palustrine forested wetland and wet meadow for access in a proposed 19-lot residential subdivision.

With Findings:

Findings of Law:

1. This is a minor impact project per Administrative Rule Wt 303.03(h). Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. Approvals must be consistent with the findings of public purpose set forth by RSA 482-A:1.
3. The need for the proposed impacts shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands per Rule Wt 302.01.
4. The applicant must provide evidence which demonstrates that his/her proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Wt 302.03.
5. The applicant must demonstrate by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. According to Rule Wt 302.04(e), the department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.
7. In accordance with Wt 301.01(e), plans submitted in support of applications for dredge and fill of wetlands that are classified as major or minor projects in accordance with Wt 303.02 and Wt 303.03 respectively, shall be Stamped by a certified wetlands scientist as certified by the New Hampshire board of natural scientists, when that individual prepares the plan(s).
8. For all permanent impacts that will remain after avoidance and minimization measures have been addressed, the applicant shall submit a compensatory mitigation proposal in accordance with Chapter Wt 800, per Administrative Rule Wt 302.03(b). (See Wt 803.03, 803.06, Wt 804.01, Wt 804.04, and Wt 805.02).
9. Per Administrative Rule Wt 304.09(a), plans submitted with a wetlands application associated with a proposed subdivision shall indicate the boundaries of all wetlands and surface waters, the footprint of all proposed impacts, existing and proposed topography, and the location of all proposed lot lines. Plans shall be stamped by a licensed land surveyor or a professional engineer pursuant to RSA 310-A, and parties responsible for the wetlands delineation shall be recorded on the plan.
10. An applicant's plans shall be in accordance with the requirements as set forth in Administrative Rule Wt 501.02(2).

Findings of Fact:

11. On January 21, 2005, Wetlands Bureau Staff met with the applicant's agent, Randy Orvis, and attorney Melissa Countway Guldbrandsen. In this meeting DES staff explained that the DES wetlands regulations and required submissions by the applicant. The requirements specifically discussed included the following: applicant must prove that the alternative proposed by the applicant needs to be the least adverse impact to areas under DES jurisdiction, the Wetlands mitigation requirements, and stormwater treatment and detention requirements.
12. At the 1-21-05 meeting, DES provided the applicant's agent with a copy of the meeting notes.
13. On October 20, 2005 DES received Standard Dredge and Fill Application.
14. The Department received a letter on October 18, 2005, from the Alton Conservation Commission requesting a 40 day intervention period from the Town Clerk signature date.

15. The Department responded that the application was administratively complete on October 24, 2005.
16. On November 16, 2005, the Alton Conservation Commission reported that they do not see the application as the least environmentally impacting because of the dual accesses to the property.
17. On December 28, 2005, Wetlands Bureau staff completed a technical review of the proposed application and found that no mitigation proposal was submitted with the application and the proposal does not include stormwater treatment for the roadway runoff.

Findings in Support of Denial:

18. The applicant has failed to demonstrate a need for the proposed wetlands filling, based on the fact that they have not provided the requirement for dual access.
19. The applicant has failed to submit a mitigation package in accordance with Chapter Wt 800.
20. The applicant has not addressed the concerns of the Alton Conservation Commission.
21. This project is denied in accordance with Wt 302.04(d)(3) as it causes the unnecessary destruction of wetlands.
22. The project is denied per 302.04(d)(5) as the requirements of Wt 302.03 were not met and because the applicant failed to document factors as required in Wt 302.04(a).

MINIMUM IMPACT PROJECT

2005-00850 STANDEX INTERNATIONAL CORP
SALEM Unnamed Wetland

APPROVE PERMIT:

Dredge and fill approximately 1,362 square feet of scrub-shrub wetlands to provide a second site entrance and parking for a two-story health club and medical office facility on one lot of a two lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by TF Moran, Inc., dated March 17, 2005 and June 23, 2005 (revision date July 12, 2005), and narratives by Gove Environmental Services, Inc., dated April 2005, as received by the Department on April 29, 2005 and July 21, 2005.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways or culverts.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Orange construction fencing shall be placed at the limits of construction adjacent to wetlands to prevent accidental encroachment.
6. There shall be no excavation or operation of construction equipment in wetland or surface areas outside of the approved wetland impact area.
7. The applicant shall submit a plan to DES for review and approval of the proposed wetland debris and brush removal prior to the start of construction activities on the property. The plan shall be prepared by a qualified professional.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

13. Silt fencing must be removed once the area is stabilized.

14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(k), alteration of less than 3,000 square feet of swamps or wet meadow.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. The Salem Conservation Commission recommended approval of the application with the following conditions: Remove debris and brush in wetland prior to occupancy, complete plantings in swale prior to occupancy, remaining wetlands on site should never be filled for future development, complete buffer plantings prior to occupancy and increase size of swale to 1,362 square feet or larger.

6. The applicant has agreed to the Conservation Commission required conditions, demonstrated by plan and plan notes dated June 23, 2005 (revised date July 12, 2005), received by the Department on July 21, 2005.

2005-01042 CURLEY, STEVE & SANDRA
SUNAPEE Perkin's Pond

Requested Action:

Approve name change to: Steve & Sarah Curley

c/o Chiarella Realty PO Box 240 Sunapee NH 03782. Per request received 1/3/06

Conservation Commission/Staff Comments:

Con Com has no objections to a 6 x 40 dock

APPROVE NAME CHANGE:

Construct a 6 ft by 30 ft seasonal dock on Perkins Pond, Sunapee.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on July 8, 2005.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.

3. Seasonal pier shall be removed from the lake for the non-boating season.

4. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.

5. There shall be no modification of the shoreline for the installation of the dock.

6. The dock shall be located at least 20 ft from the abutters property line or the extension of the property line over the water.

7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

2005-01760 KOCH & KOCH BUILDERS, LARRY KOCH
WEST SWANZEY Unnamed Stream

Requested Action:

Temporary impact of 42 linear feet (21 feet x 2) of stream bank and approximately 1,094 square feet of associated wetlands for the

installation of a sewer line to service a proposed condominium development on one (1) lot of a three (3) lot subdivision.

Conservation Commission/Staff Comments:

The Conservation Commission approves of the project conditional on the restoration of the stream channel.

APPROVE PERMIT:

Temporary impact of 42 linear feet (21 feet x 2) of stream bank and approximately 1,094 square feet of associated wetlands for the installation of a sewer line to service a proposed condominium development on one (1) lot of a three (3) lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by Christopher K. Danforth & Associates, LLC dated July 11, 2005, as received by the DES Wetlands Bureau on August 1, 2005; by A.C. Engineering & Consulting dated October 11, 2005, as received by the DES Wetlands Bureau on December 9, 2005; by Doughty Surveying dated December 2005, as received by the DES Wetlands Bureau on January 5, 2006; and by Christopher K. Danforth & Associates, LLC dated January 5, 2006, as received by the DES Wetlands Bureau on January 5, 2006.
2. This permit is contingent on approval by the DES Water Supply Engineering Bureau, Wells and Water Systems.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on lot 79-6 or lot 79-6-2.
5. The deed which accompanies the sales transaction for lots 79-6 and 79-6-2 in this subdivision shall contain condition #4 of this approval.
6. The owner of lot 79-6-3, as the lot is indicated on the subdivision plans, shall have the wetlands and surface waters on lot 79-6-3 delineated by a Certified Wetland Scientist prior to any future subdivision or alteration of wetlands or surface waters.
7. The deed which accompanies the sales transaction for lot 79-6-3 in this subdivision shall contain condition #6 of this approval.
8. Any future work on lot 79-6-3 that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
9. The pole ford crossing shall be removed and the stream channel shall be restored in accordance with the applicant's restoration plan.
10. Upon completion of the project, the applicant shall provide photographs of the project site including the restoration area to the DES Wetlands Bureau.
11. No fill shall be done for lot development.
12. All work shall be done during low flow.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
16. Area shall be regraded to original contours following completion of work.
17. Silt fence(s) must be removed once the area is stabilized.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands.
20. Faulty equipment shall be repaired prior to entering jurisdictional areas.
21. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
22. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
23. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and

when considered with the original application are not classified as minor or major.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The sewer line is required to connect to the municipal sewer system.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The construction of the sewer line will utilize an old logging access (pole ford) that crosses an unnamed stream.
4. DES Staff conducted a field inspection of the project site on September 22, 2005. Field inspection determined that restoration of the site should be addressed as part of the application for the sewer line construction.
5. Upon completion of construction, the pole ford crossing will be removed and the stream bank and bed will be restored per the submitted restoration plan.
6. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
7. The applicant has indicated that a subdivision of the parent tract is proposed which will result in three (3) lots. One of these three lots will contain the wetlands impact area. No other wetlands impacts are proposed or will result from this project.

**2005-02605 HALL REVOC COTTAGE TRUST, FREDERICK
WOLFEBORO Lake Wentworth**

Requested Action:

Repair an existing 61 ft and a 19 ft of retaining wall "in kind", permanently remove an existing 6 ft by 16 ft ramp and an existing 3 ft 6 in by 36 ft "L" shaped docking seasonal docking structure and install a 6 ft by 40 ft seasonal dock attached to a 7 ft by 3 ft concrete pad on 101 ft of frontage providing for 2 boatslips on Lake Wentworth, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com did not sign application

APPROVE PERMIT:

Repair an existing 61 ft and a 19 ft of retaining wall "in kind", permanently remove an existing 6 ft by 16 ft ramp and an existing 3 ft 6 in by 36 ft "L" shaped docking seasonal docking structure and install a 6 ft by 40 ft seasonal dock attached to a 7 ft by 3 ft concrete pad on 101 ft of frontage providing for 2 boatslips on Lake Wentworth, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by K Armstrong dated October 14, 2005, as received by the Department on October 28, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during drawdown.
6. Area shall be regraded to original contours following completion of work.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
9. Repair shall maintain existing size, location and configuration.
10. The concrete pad shall be located entirely landward of full lake elevation and behind the natural undisturbed shoreline.
11. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property

lines or the imaginary extension of those lines into the water.

12. Seasonal pier shall be removed from the lake for the non-boating season.

13. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.

14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.

2005-02924 RANDO, CHARLES
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Construct a 6 ft by 50 ft seasonal dock attached to a 6 ft 6 in by 3 ft concrete pad on 106 ft of frontage providing 2 boatslips on Lake Winnepesaukee, Moultonboro.

Conservation Commission/Staff Comments:

No Con Com comments by 01/04/06

NH Fish and Game and NH NHI will not be submitting comments

APPROVE PERMIT:

Construct a 6 ft by 50 ft seasonal dock attached to a 6 ft 6 in by 3 ft concrete pad on 106 ft of frontage providing 2 boatslips on Lake Winnepesaukee, Moultonboro.

With Conditions:

1. All work shall be in accordance with plans by John Ferrante dated November 10, 2005, as received by the Department on December 8, 2005.

2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.

3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.

4. Seasonal pier shall be removed from the lake for the non-boating season.

5. No portion of the pier shall extend more than 50 feet from the shoreline at full lake elevation.

6. The concrete pad shall be install landward of full lake elevation of 504.32 and behind the natural undisturbed shoreline.

7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

FORESTRY NOTIFICATION

2005-02961 RICHARDSON, JON
HILLSBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:

Hillsboro Tax Map 12, Lot# 317

2005-03010 GENEVA POINT CENTER
MOULTONBOROUGH Unnamed Wetland

COMPLETE NOTIFICATION:
Moultonboro Tax Map 10, Lot# 2, 20 & 20A

2005-03024 BRICK, JOE
WILMOT Unnamed Stream

COMPLETE NOTIFICATION:
Wilmot Tax Map 15, Lot# 29

2005-03027 BIXBY, REGINALD
WARREN Unnamed Stream

COMPLETE NOTIFICATION:
Warren Tax Map 6, Lot# 7 & 9

2005-03029 PEASLEE, EARLE
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich Tax Map R10, Lot# 51 & 56

2005-03037 CLARK HILL INC, FINN CASPERSEN
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:
Orford Tax Map 8, Lot# 6

2005-03038 LILJEBERG, SCOTT
ANTRIM Unnamed Stream

COMPLETE NOTIFICATION:
Antrim Tax Map 2, Lot# 12

2005-03058 CARON, JON & CARRIE
NOTTINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Nottingham Tax Map 15, Lot# 14 & 15

2005-03060 HERTEL JR, VAN
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:
Gilmanton Tax Map 4, Lot# 5

2005-03062 WEST SIDE DEVELOPMENT
EATON Unnamed Stream

COMPLETE NOTIFICATION:
Eaton Tax Map R1, Lot# 41

2005-03064 LEWIS, DAVID
WEARE Unnamed Stream

COMPLETE NOTIFICATION:
Weare Tax Map 105, Lot# 55-1 & 55-2

EXPEDITED MINIMUM

2003-01547 GREENLAND, TOWN OF
GREENLAND Unnamed Stream

Requested Action:

Amend original permit for continued maintenance of the municipal drainage system by the Department of Public Works, which involves cleaning out culverts, replacing damaged culverts, repairing headwalls and riprap where necessary, and minimal dredging with no new culverts proposed with the following change: Impact additional wetland in three areas for continued maintenance and repair of three dry hydrants.

APPROVE AMENDMENT:

Amend original permit for continued maintenance of the municipal drainage system by the Department of Public Works, which involves cleaning out culverts, replacing damaged culverts, repairing headwalls and riprap where necessary, and minimal dredging with no new culverts proposed with the following change: Impact additional wetland in three areas for continued maintenance and repair of three dry hydrants.

With Conditions:

1. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
2. Orange construction fencing shall be placed at the limits of construction; siltation/erosion controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. All work shall be done in-kind, within original bounds of the constructed project, per Rule Wt 303.04(k).
4. Work at the following locations is excluded from this approval due to the proximity to the saltmarsh: drainage easements running between Great Bay Drive East (lots 19 & 20), Caswell Drive (lots 41 & 42, 36 & 37), Bay Shore Drive (lots 6 & 7, 15 & 16, 18 & 19 & 20), Fairview Terrace (lots 13 & 14), Bayview Terrace (lots 8 & 9), and off Meadow Lane (across lot 35). Work at the above locations is classified as a minor impact and shall require a request to amend the permit and shall include detailed plans.
5. Work proposed to be done at locations on Interstate 95 within the jurisdiction of the NH Department of Transportation are excluded from this permit.

6. ADDITIONAL CONDITION: Any temporary work in wetlands shall be restored to original condition after completion of work.

With Findings:

1. This is a minimum impact project per Rule Wt 303.04(k).
2. REVISED FINDING: This project is necessary to continue to allow for adequate processing of stormwater runoff and continued maintenance and repair of three dry hydrants in the Town of Greenland.

2005-01788 DETURK, MICHAEL & LOUISE
DUNBARTON Unnamed Wetland

APPROVE PERMIT:

Dredge and fill approximately 664 square feet of forested wetlands for driveway access to one lot (C6-01-06) of a two lot subdivision. Work includes installation one crossing containing two 18-inch x 25 foot corrugated plastic culverts. The remaining lot (C6-1-3) consists of 73.43 acres, which contains an existing home. There is no proposal for subdivision or impacts to wetlands or surface waters on the remaining lot (C6-1-3).

With Conditions:

1. All work shall be in accordance with plans by Dahlberg Land Services, Inc., dated April 23, 2005, as received by the Department on September 29, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit shall not be effective until the applicant has acquired ownership of "Parcel A" for the lot line adjustment of lot C6-01-06.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on lot C6-01-06.
6. The deed which accompanies the sales transaction for lot C6-01-06 in this subdivision shall contain condition #5 of this approval.
7. The property owner of the remaining lot (C6-1-3) shall have the wetlands and surface waters on the lot (C6-1-3) delineated by a Certified Wetland Scientist prior to any future subdivision or alteration of wetlands or surface waters.
8. The deed which accompanies the sales transaction for the remaining lot C6-1-3, in this subdivision shall contain condition #7 of this approval.
9. Any future work on lot C6-1-3, that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f); Projects involving alteration of less than 3,000 square

feet in swamps or wet meadows.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The New Hampshire Fish & Game Department did not comment on the proposed project.
6. The conservation commission has no objections to the proposed project.
7. The Conservation Commission has required the applicant place flags/signs along the "Wetlands Conservation District".
8. The Planning Board approved the proposed lot line adjustment.
9. The property owner of the remaining lot (C6-1-3) shall have the wetlands and surface waters on the lot (C6-1-3) delineated by a Certified Wetland Scientist prior to any future subdivision or alteration of wetlands or surface waters.

2005-02084 NEXLIFE PROPERTIES LLC
HAMPTON Mill Creek

Requested Action:

Temporarily impact 1,309 square feet within the 100-foot Tidal Buffer zone to remove the existing dwelling, deck, walkway, and shed to replace with a 24'x32'single-family dwelling on a lot of 0.13 acres.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission signed the Minimum Impact Expedited Application.

Inspection Date: 11/15/2005 by Eben M Lewis

APPROVE PERMIT:

Temporarily impact 1,309 square feet within the 100-foot Tidal Buffer zone to remove the existing dwelling, deck, walkway, and shed to replace with a 24'x32'single-family dwelling on a lot of 0.13 acres.

With Conditions:

1. All work shall be in accordance with the folling plans by Millennium Engineering, Inc., as received by the Department on September 6, 2005:
 - a.) Existing Conditions Plan (Sheet 1 of 2) dated May 31, 2005;
 - b.) Proposed Foundation Plan (Sheet 1 of 2) dated August 2, 2005 and revised August 18, 2005.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for any other construction related activities.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04 (b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. Per Wt 302.01, the need for the proposed impacts has been demonstrated by the applicant as the reconstruction and relocation of the dwelling will be consistent with RSA 483-B.
3. Per Wt 302.03, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction as the proposed structure be relocated north (landward) and

will be impacting less square footage within the Tidal Buffer Zone than the existing structures.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. NH Natural Heritage Bureau (NHNHB) has record of one natural community within the project vicinity, High salt marsh and related estuarine communities.

6. DES finds that none of the NHNHB identified communities will be impacted as a result of this project, as the property is fully developed and does not support the listed communities.

7. The applicant seeks relief and requests a waiver for Wt 304.04.

8. The applicant attempted to contact the abutters identified as Perkins (Hampton Tax Map 262 Lot 6) and Douglas (Hampton Tax Map 262 Lot 5) via certified mail receipt and did not receive comment or concurrence from said abutters.

9. As proposed, the new single-family dwelling will be 8.0 feet and 18.8 feet from the abutters respectively.

10. On November 15, 2005, DES personnel conducted a field inspection of the property and finds that the current proposal will not have any adverse ecological impact to either abutter and the proposed dwelling will be impacting less square footage within the Tidal Buffer Zone thereby increasing the buffer between the marsh and dwelling.

11. The Department waives Wt 304.04 with the findings that there will be no adverse environmental impacts to the aforementioned abutters.

2005-02190 MARTIN, LINDA
WEARE Horace Lake

Requested Action:

Construct a 4 ft by 20 ft seasonal dock on 50 ft of frontage on Lake Horace, Weare.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 4 ft by 20 ft seasonal dock on 50 ft of frontage on Lake Horace, Weare.

With Conditions:

1. All work shall be in accordance with plans by Linda Martin, as received by the Department on December 13, 2005.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 20 feet from the shoreline at full lake elevation.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal dock.

2005-02696 DRED, TOM MANSFIELD
JAFFREY Unnamed Wetland

Requested Action:

Dredge and fill 2,180 square feet of palustrine forested and scrub-shrub wetlands to upgrade an existing campground loop access road including relocating an excavated roadside drainage swale at one location and installing an 18-inch x 50-foot culvert and associated outlet protection at a second location; and, temporarily impact approximately 1,268 square feet of palustrine forested and scrub-shrub wetlands to prune vegetation to install aerial power lines.

Conservation Commission/Staff Comments:

The Conservation Commission signed the application and submitted a report stating that they support the project and have no concerns with the wetlands impacts.

APPROVE PERMIT:

Dredge and fill 2,180 square feet of palustrine forested and scrub-shrub wetlands to upgrade an existing campground loop access road including relocating an excavated roadside drainage swale at one location and installing an 18-inch x 50-foot culvert and associated outlet protection at a second location; and, temporarily impact approximately 1,268 square feet of palustrine forested and scrub-shrub wetlands to prune vegetation to install aerial power lines.

With Conditions:

1. All work shall be in accordance with plans by Fay, Spofford, & Thorndike, LLC dated October 2005, as received by the DES Wetlands Bureau on November 4, 2005.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the DES Water Supply Engineering Bureau, Wells and Water Systems.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
6. All work shall be done during low flow or frozen ground conditions.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils. Swamp mats shall be removed immediately upon completion of work so as not to result in permanent impacts.
14. All temporary impacts to wetlands shall be restored to natural grade, stabilized, and replanted with native vegetation where necessary.
15. Any clearing required in utility line rights-of-way shall be in accordance with the "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire." Timber, slash and/or chips shall be removed from wetland areas and shall not be buried in wetlands.
16. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with the DES Wetlands Bureau to attempt to eradicate nuisance species newly found along the right-of-way during this same period.
17. Wetland restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
19. Faulty equipment shall be repaired prior to entering jurisdictional areas.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), Projects involving alteration of less than 3,000 square

feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The NH Department of Resources and Economic Development (DRED) is proposing to develop a campground in Monadnock State Park at the site of a former privately-owned campground near Gilson Pond. The campground is being developed in accordance with the Monadnock Master Plan prepared by the Division of Parks and Recreation for redevelopment of the State Park.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03. The campground design incorporates existing infrastructure and follows the former campground's layout to the greatest extent practicable therefore minimizing wetlands impacts and requiring little change to existing grades. A landscaping plan has also been designed that minimizes tree cutting and includes plantings of native trees and shrubs. The proposed campground will also eliminate sites along the margin of Gilson Pond. This area does have trails that will not be altered.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project will impact palustrine forested and scrub-shrub wetlands that drain to Gilson and Thorndike Ponds.
6. The campground loop access road passes within 150 feet of the shoreline of Gilson Pond placing the road within the 250-foot Shoreland Protection Zone. The outlet of the culvert passing under the loop road will be within 90 feet of the pond. To meet the requirements of the Comprehensive Shoreland Protection Act, the applicant has provided photo documentation of the 150-foot natural woodland buffer in these areas.
7. Impacts in excess of 3,000 square feet are temporary and may be required for access to prune vegetation to install aerial power lines. No utility poles will be installed in wetlands. Per Wt 303.05(b), mowing or cutting of vegetation in a wet meadow or swamp does not require a permit provided the roots of the vegetation are not disturbed, the ground is frozen or sufficiently dry to avoid making ruts, and the area is stabilized once thawed. If the vegetation cannot be pruned without entering the wetland (for example, from adjacent uplands) and the work cannot be done under frozen ground conditions, equipment will be placed on mats so as to minimize soil disturbance.
8. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2005-02831 FLETCHER, ROBERT
BARRINGTON North River Pond

Requested Action:

Impact 80 linear ft. along the shore of North River Pond to replace and reconstruct an existing 30 in. high creosote retaining wall with a new masonry retaining wall within the same general footprint.

Conservation Commission/Staff Comments:

Conservation Commission signed the Expedited Application.

APPROVE PERMIT:

Impact 80 linear ft. along the shore of North River Pond to replace and reconstruct an existing 30 in. high creosote retaining wall with a new masonry retaining wall within the same general footprint.

With Conditions:

1. All work shall be in accordance with plans by Robert Fletcher, as received by the Department on November 30, 2005.
2. All work shall be done by hand and in the dry.
3. Any further alteration of wetlands on this property will require a new application and further permitting by Department of Environmental Services ("DES") Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing, by mulching with tack or netting and pinning on slopes steeper than 3:1.

GOLD DREDGE

2006-00005 WING, STUART
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Com

COMPLETE NOTIFICATION:
Gold Dredge

TRAILS NOTIFICATION

2005-03046 DRED
WINCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
DRED Pisgah State Park

LAKES-SEASONAL DOCK NOTIF

2006-00004 MACKIE, JONATHAN / SUE
MEREDITH Unnamed Wetland Pemigewasset

COMPLETE NOTIFICATION:
Seasonal Dock Meredith NH Tax Map#R-20
Lot#25 Waterbody Pemigewasset

SHORELAND VARIANCE / WAIV

2005-01955 KREITLER, JOHN
MEREDITH Lake Winnepesaukee

2005-02251 CASWELL, WILLIAM
PIERMONT Lake Armington

Requested Action:

Increase the nonconforming primary structure's setback from 25 feet to 28 feet on the northern side of the island, and on the southern side, 14.5 feet to 24 feet. Increase the ridgeline height from 15 feet to 25 feet, and increase the nonconforming primary structure's footprint from 256 square feet to 336 square feet.

APPROVE CSPA WAIVER:

Increase the nonconforming primary structure's setback from 25 feet to 28 feet on the northern side of the island, and on the southern side, 14.5 feet to 24 feet. Increase the ridgeline height from 15 feet to 25 feet, and increase the nonconforming primary structure's footprint from 256 square feet to 336 square feet.

With Conditions:

1. All work shall be conducted in accordance with plans as received by the department on November 23, 2005.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. This approval does not allow lakeward expansion of the primary structure.
6. No open deck or porch constructed shall extend more than 12 ft towards the reference line.
7. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
9. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
10. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The existing non-conforming residence is located within the 50 foot primary building setback to Lake Armington and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
3. The Subsurface Systems Bureau developed an agreement on December 12, 2005, that there would be no septic system for the property. A gas incinerator toilet will be used and water will be drawn with a hand pump.
4. The applicant has proposed to remove the out house and eliminate gray water, therefore meeting the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, II.

PERMIT BY NOTIFICATION

**2005-00256 CAIRNS, CHRISTOPHER
NEW DURHAM Meerymeeting Lake**

2005-02963 IN-EX HOMES LLC
SURRY Unnamed Wetland

Requested Action:

Dredge and fill 487 square feet of palustrine forested wetlands to install an 18-inch x 18-foot culvert and associated headwalls to construct a driveway for access to a single family building lot.

Conservation Commission/Staff Comments:

Conservation Commission signed; no comments.

PBN IS COMPLETE:

Dredge and fill 487 square feet of palustrine forested wetlands to install an 18-inch x 18-foot culvert and associated headwalls to construct a driveway for access to a single family building lot.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2005-03030 DIZACK, BRENT
LONDONDERRY Unnamed Stream

PBN IS COMPLETE:

Replacement of a collapsed 12 inch x 20 foot driveway culvert within an intermittent stream.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), maintenance, repair or replacement of a nondocking structure.